

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VERNON HOOKS,
Plaintiff,

v.

J. BRADFORD,
Defendant.

Case No. 1:23-cv-00076-HBK (PC)

ORDER REFERRING CASE TO EARLY
SETTLEMENT AND STAY OF CASE

DEADLINE TO OPT OUT DUE BY:

January 5, 2024

Plaintiff Vernon Hooks is a state prisoner proceeding *pro se* and *in forma pauperis* on his civil rights complaint brought pursuant to 42 U.S.C. § 1983. (Doc. Nos. 1, 7). As set forth in the April 26, 2023 Screening Order, the Court determined Plaintiff's complaint states a cognizable Fourteenth Amendment equal protection claim against Defendant Bradford. (Doc. No. 8). Defendant answered the complaint on September 21, 2023. (Doc. No. 16).

The Court refers all civil rights cases filed by *pro se* individuals to early settlement to attempt to resolve such cases more expeditiously and less expensively. *See also* Local Rule 270. In appropriate cases, defense counsel from the California Attorney General's Office have agreed to participate in early settlement. No claims, defenses, or objections are waived by the parties' participation.

1 Attempting to resolve this matter early though settlement now would save the parties the
2 time and expense of engaging in lengthy and costly discovery and preparing substantive
3 dispositive motions. The Court therefore will STAY this action to permit the parties to
4 investigate Plaintiff's claims, meet, confer, and engage in settlement discussions or agree to
5 participate in an early settlement conference conducted by a magistrate judge. If, however, after
6 investigating Plaintiff's claims, meeting, and conferring, either party finds that a settlement
7 conference would be a waste of resources, the party may opt out of the early settlement
8 conference by the above date. If either party opts out of a settlement conference the Court will
9 enter a discovery and scheduling order.

10 Accordingly, it is **ORDERED**:

11 1. This action will remain **STAYED until further order** to allow the parties an
12 opportunity to settle their dispute. No pleadings or motions may be filed in this case during the
13 stay and the parties shall not engage in formal discovery.

14 2. On or before January 5, 2024, the parties shall file a notice if they object to
15 proceeding to a settlement conference or if they believe that settlement is not currently
16 achievable. **If either party objects to a settlement conference the Court will lift the stay of**
17 **this action and issue a scheduling and discovery order.**

18 3. If neither party has opted out of settlement by the expiration of the objection
19 period, the Court will assign this matter by separate Order to a United States Magistrate Judge,
20 other than the undersigned, for conducting the settlement conference.

21 4. If the parties reach a settlement prior to the scheduled settlement conference, they
22 SHALL file a Notice of Settlement as required by Local Rule 160.

23 Dated: October 10, 2023

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25 HELENA M. BARCH-KUCHTA
26 UNITED STATES MAGISTRATE JUDGE
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